

Overlook Subdivision, Bastrop County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the application should be received on or before January 14, 2000.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Tannika Engelhard, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Field Supervisor, Ecological Services Field Office, Austin, Texas at the above address. Please refer to permit number TE-020079-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Tannika Engelhard at the above Austin Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

**APPLICANT:** Tamera Smith plans to construct a single family residence on 6.517 acres platted as Lot 7 in the Overlook Subdivision, Bastrop County, Texas. This action will eliminate less than one acre of habitat. The applicant proposes to mitigate for this incidental take of the Houston toad by donating \$1,500 into the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat, as identified by the Service.

Alternatives to this action were rejected because not developing the

subject property with federally listed species present was not economically feasible and alteration of the project design would not alter the level of impacts.

**Thomas L. Bauer,**

*Acting Regional Director, Region 2,  
Albuquerque, New Mexico.*

[FR Doc. 99-32456 Filed 12-14-99; 8:45 am]

**BILLING CODE 4510-55-U**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of an Application for Incidental Take Permit for Houston Toad (*Bufo houstonensis*) During Construction of a Single Family Residence on 5.068 Acres on Lot 13 in the Circle D Country Estates Subdivision in Bastrop County, Texas**

**SUMMARY:** Shelby Gregory (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The Applicant has been assigned permit number TE-020080-0. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered Houston toad (*Bufo houstonensis*). The proposed take would occur as a result of the construction of a single family residence on Lot 3 of the Circle D Country Estates Subdivision, Bastrop County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the application should be received on or before January 14, 2000.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Scott Rowin, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by

appointment only, during normal business hours (8:00 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Field Supervisor, Ecological Services Field Office, Austin, Texas at the above address. Please refer to permit number TE-020080-0 when submitting comments.

#### **FOR FURTHER INFORMATION CONTACT:**

Scott Rowin at the above Austin Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

#### **Applicant**

Shelby Gregory plans to construct a single family residence on 5.068 acres platted as Lot 13 in the Circle D Country Estates Subdivision, Bastrop County, Texas. This action will eliminate less than one acre of habitat. The applicant proposes to mitigate for this incidental take of the Houston toad by donating \$1,500 into the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat, as identified by the Service.

Alternatives to this action were rejected because not developing the subject property with federally listed species present was not economically feasible and alteration of the project design would not alter the level of impacts.

**Thomas L. Bauer,**

*Acting Regional Director, Region 2,  
Albuquerque, New Mexico.*

[FR Doc. 99-32457 Filed 12-14-99; 8:45 am]

**BILLING CODE 4510-55-U**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of an Application for Incidental Take Permit During Construction of a Single Family Residence on 0.75 acres of the 3.88-Acres on Lot 14, Westcliff Subdivision, 8004 Two Coves Drive, Austin, Texas**

**SUMMARY:** David Anderson (Applicant) has applied for the U.S. Fish and Wildlife Service (Service) for an